

KINGS COUNTY WATER DISTRICT
BOARD OF DIRECTORS REGULAR MEETING MINUTES
THURSDAY, NOVEMBER 9, 2023

The public was able to participate either in person or through a conference call. Directors were required to meet in person, unless there was an emergency. President McCutcheon called the regular meeting to order at 1:00 p.m.

DIRECTORS PRESENT: Steven P. Dias, Barry McCutcheon, Ernest Taylor,
Joseph Freitas (phone), Michael Murray (phone)

DIRECTORS ABSENT: None

OTHERS PRESENT: Dennis Mills, General Manager
Ray Carlson, Attorney (phone)
Sebastian Silveira, (phone)

John Gailey, DeltaView Water Assoc.
Geoff VandenHuevel, Milk Producer's Council
Marty Murray, (phone)
Matt Kelley, (phone)

ESTABLISH QUORUM

It was determined that a quorum was present at the meeting.

CONFLICT OF INTEREST

None.

PUBLIC COMMENT PERIOD

None.

MINUTES OF THE PREVIOUS REGULAR MEETINGS

Manager Mills explained that previous meeting minutes were not ready for approval.

COMMUNICATIONS

None.

GENERAL MANAGER

PROJECT UPDATES

Manager Mills reported that the Esajian Basin excavation was completed for now and that no payment from J&G Heavy Haul had been received yet.

Manager Mills reported on the Dutra Basin and asked the Board to consider authorizing the development and submission of a letter to the California Natural Resources Agency (CNRA) requesting a CEQA exemption for the facility. The Board asked a few questions and there was discussion on the matter. Vice-President Dias made a motion to authorize the development and submission of a letter to the CNRA requesting a CEQA exemption for the Dutra Basin. Director Taylor seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon, Michael Murray,
Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: None

SURFACE WATER RATE

Manager Mills reviewed with the Board last year's (WY 23) surface water rental costs. The costs were as follows:

- Peoples – \$65/AF
- Settlers – \$70/AF
- Riverside – \$70/AF
- New Deal – \$85/AF
- Last Chance Main – \$65/AF
- Last Chance Side – \$75/AF
- Lone Oak – \$85/AF

There was discussion with the Board regarding various components of the costs and reasons for the increases. Director Taylor made a motion that all rental rates be set at \$100/AF in Water Year 24. He viewed that at that rate KCWD would be able to pursue the recharge projects necessary to make a significant difference in the area. President McCutcheon asked if there was a second to the motion, but there was none. After this, there was discussion amongst the Board. Vice-President Dias made a motion to leave the Water Year 2023 surface water rental rates the same in Water Year 2024. Director Freitas seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon, Michael Murray

NOES: Ernest Taylor

ABSTAINED:None

ABSENT: None

MKR GSA EFFORTS

Manager Mills gave a report on recent meetings with State Board members, the State Board Public Workshop in Hanford and efforts to revise the Tulare Lake Subbasin GSP for resubmission in March 2024. Generally, he described 2024 groundwater pumping restrictions, pumping reductions by aquifer zone, groundwater pumping fees related to shallow well mitigation funding, draft mitigation plans for shallow well mitigation and draft mitigation plans for canals impacted by subsidence.

ON-GOING EFFORTS

Dutra Dairy

Manager Mills reported that KCWD had received a Notice of Violation on the former Dutra Dairy because no annual report was submitted in 2022.

EXPENDITURE LIST APPROVAL & FINANCING STATEMENT ACCEPTANCE

On a motion by Director Taylor, with a second by Vice-President Dias, it was unanimously approved by the Board that the expenditure list and financial statement be accepted as submitted. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Barry McCutcheon, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Joseph Freitas, Michael Murray

TRANSFER OF FUNDS

None

BOARD MEMBER DISCUSSION/ANNOUNCEMENTS OR REPORTS

None.

SET NEXT MEETING DATE

The next regular Board of Directors meeting was set for December 14, 2023 at 1:00 p.m.

CONVENE TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54956.9 (A) AND 54956.9(D)(1)

CLOSED SESSION

RECONVENE TO OPEN SESSION

Following the Closed Session, President McCutcheon reported out of Closed Session that negotiation guidance was conveyed to Manager Mills on various topics. Manager Mills was also authorized to engage consultant services related to the Dutra Dairy.

President McCutcheon also reported out that the Board considered making an offer to acquire property for a new recharge basin. Director Taylor made the motion to make an offer at a certain value on the property. The motion was seconded by President McCutcheon. The vote for all directors was a follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: Steven P. Dias

ABSTAINED:None

ABSENT: None

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 4 p.m.
Respectfully submitted,

Dennis Mills
MIN11.09.23